REMARKS

Claims 1-18 are pending. Claims 1, 5, 6, 10 and 12 have been amended.

Specification

The Patent Office objected to the disclosure for typographical errors.

Paragraphs [0006] and [0023] have been amended to correct typographical errors.

Claim Rejections – 35 U.S.C. § 102

The Patent Office rejected claims 1-18 under 35 USC § 102(b) as being anticipated by Iwatani, U.S. Patent No. 6,023,780 (Iwatani).

Applicant respectfully disagrees. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Further, "anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, <u>arranged as in the claim</u>." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added).

The present invention is directed to protecting against drive anomaly errors while optimizing random read performance. Reading of metadata from a second drive may not be required, thus anomaly protection may be provided without decreasing performance by increasing the drive I/O workload. (Instant Application, Page 4, Paragraph [0008]). Applicant respectfully submits claims 1, 6 and 12 include elements which have not been disclosed, taught or suggested by Iwatani. For example, claims 1 and 6 recite performing a data block integrity test by reading data from <u>a single drive</u> during an occurrence of a read operation. Claim 12 recites reading data from <u>a single drive</u> into a cache memory, generating a first parity error information set for a data read from said single drive; and

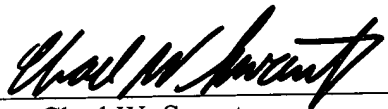comparing a second parity error information set with said first parity error information. (Emphasis added).

Iwatani discloses a disk array apparatus whereby multiple drives must be read to determine contradictions. The parity checking section reads divided data from a disc drive (a first drive) and executes a parity check by comparing the parity data with the parity data read from the disc drive for storing parity (a second drive). (Iwatani, Column 6, Lines, 55-62). (Emphasis Added). Additionally, FIG. 5 of Iwatani discloses data drives 46-1 through 46-m and a separate disc drive, 46-n for parity information. Thus, Iwatani discloses an apparatus whereby multiple drives must be read to perform a data block integrity test. Iwatani is similar to the conventional system for detecting drive anomalies as described in the Background section, Paragraph [0007] of the present application whereby metadata (parity data) must be read from a second drive, doubling the input/output workload. (Emphasis added). As a result, the Iwatani apparatus is not equivalent to the present application whereby a data block integrity test is performed by reading <u>a single drive</u>. Consequently, under *Lindemann*, a *prima facie* case of anticipation has not been established for claims 1, 6 and 12. Claims 2-5, 7-11 and 13-18 are believed allowable due to their dependence upon an allowable base claim.

CONCLUSION

In light of the forgoing, reconsideration and allowance of the claims is earnestly solicited.

Respectfully submitted,
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